

Article 4: Penalties

K.A.R. 132-4-1. Delinquent status; penalties. (a)(1) A provider shall be deemed to be in delinquent status by the 911 coordinating council or the council's designee under any of the following conditions:

(A) The provider fails to submit the provider's contact information, pursuant to L. 2011, ch. 84, sec. 3 (j) and amendments thereto, on or before January 1, 2012, in the form and containing the information required by the 911 coordinating council to the 911 coordinating council or the council's designee.

(B) The provider has not previously provided service in this state and fails to submit the provider's contact information, pursuant to L. 2011, ch. 84, sec. 3 (j) and amendments thereto, within three months of first offering services in this state, in the form and containing the information required by the 911 coordinating council to the 911 coordinating council or the council's designee.

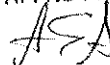
(C) The provider fails to notify the 911 coordinating council or the council's designee within 30 days of any change in the provider's contact information.

(2) A provider shall be deemed to be in delinquent status by the 911 coordinating council or the council's designee if the provider fails to submit 911 fees and the return in the form required by the LCPA, pursuant to L. 2011, ch. 84, sec. 9 and amendments thereto, to the LCPA on or before the 30th day of each calendar month following a return for the preceding month.

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(b)(1) If the 911 coordinating council or the council's designee determines that a provider is in delinquent status, a penalty shall be assessed against the provider by written order of the 911 coordinating council or the council's designee.

The penalty for failing to comply with the requirement to submit the provider's contact information shall be \$500.00 per day or 10 percent of the 911 fees due from the delinquent provider to the LCPA for the corresponding month, whichever is greater. The penalty for failing to submit 911 fees and the return shall be \$500.00 per day or 10 percent of the 911 fees due from the delinquent provider to the LCPA for the corresponding month, whichever is greater.

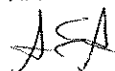
(2) Written notification of the penalty assessment, the violation, and the provider's right to appeal to the 911 coordinating council or the council's designee shall be issued to the provider by the 911 coordinating council or the council's designee. Each penalty payment shall be remitted directly to the 911 coordinating council or the council's designee.

(c) Any provider that is assessed a penalty may request a hearing, pursuant to L. 2011, ch. 84, sec. 3 (l) and amendments thereto. The request for hearing shall specify the reason or reasons the provider denies being in violation of the submission requirements, pursuant to L. 2011, ch. 84, sec. 3 and amendments thereto. (Authorized by L. 2011, ch. 84, sec. 3; implementing L. 2011, ch. 84, secs. 3 and 9; effective P-_____.)

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